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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2626/2020**

YUGANTER SHARMA

..... Petitioner

Through

Mr. Tanmaya Mehta and Mr.L.N.Rao,
Advts.

versus

STATE

..... Respondent

Through

Mr. Izhar Ahmed, APP for the State
with WSI Sarita, PS K.N.Katju Marg
Mr. Subhash Chawla, Adv. for
complainant

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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16.09.2020

The hearing has been conducted through video conferencing.

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of anticipatory bail in FIR No.237/2020, for the offences punishable under Sections 498-A/406/34 IPC, registered at PS K.N. Katju Marg, Delhi.
2. The main allegations against the family members of petitioner are regarding the dowry demand, demand of other articles, causing physical and mental torture of the complainant for bringing more dowry and cash and regarding retaining the *istridhan* of the complainant.
3. Learned counsel for the petitioner submits that the marriage of the petitioner and the complainant was solemnised on 8.11.2019. As per the complaint, more than Rs.32 lacs were spent on marriage ceremonies and had given all the articles which are mentioned in the list submitted before Crime

Against Women Cell.

4. Learned counsel for the petitioner further submits that whatever the articles the petitioner had and which were admitted in the list placed before the Crime Against Women Cell, each and every item has been returned. Therefore, nothing is remained to be returned and if the present petition is not allowed, it will cause irreparable loss to the petitioner.

5. Learned APP for the State as well as learned counsel for the complainant have opposed the present petition by submitting that even as per the agreement, all the articles have not been returned by the petitioner and from the list, one necklace , which he was to return, has not been returned to the complainant. Moreover, if petitioner is released on bail, he may influence witnesses or temper with the evidence. Therefore, the present petition deserves to be dismissed.

6. This court interacted with IO/WSI Sarita who stated that the admitted articles in the admitted list have been returned. Thereafter, when the complainant filed another list of articles, almost all the items of the said list have been also returned.

7. Keeping in view the facts recorded above and without going into merits of the case, I am of the view that the petitioner deserves bail.

8. Accordingly, the SHO/IO concerned is hereby directed that in the event of arrest, the petitioner/applicant shall be released on his furnishing a personal bond in the sum Rs.25,000/-.

9. Petitioner shall cooperate with the investigation and make himself available for interrogation by police officer, as and when required.

10. Petitioner shall not influence/contact the witnesses directly or indirectly in any manner.

11. Copy of this order be transmitted to SHO/IO for necessary information and compliance.
12. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

SEPTEMBER 16, 2020/rk